

### **REMARKS**

Reconsideration and allowance of the subject patent application are respectfully requested.

An Information Disclosure Statement (IDS) was filed on November 27, 2006. Applicants respectfully request that an initialed PTO-1449 form for this IDS be returned with the next office action.

Non-elected claims 4-9 have been canceled without prejudice or disclaimer. Applicants reserve the right to file divisional application(s) directed to the subject matter of these non-elected claims.

The "wherein" clause of claim 1 has been amended as a formal matter to specify that the hand strap fitting part is formed in a position that comes below the camera lens "on the identical surface on which the camera lens is located" so that the language of the "wherein" clause even more closely tracks the already-present claim language in the prior paragraph of the claim describing that the hand strap fitting part is formed "on an identical surface on which the camera lens is located". This amendment does not raise any new issues requiring further consideration and/or search inasmuch as claim 1 already specifies that the hand strap fitting part is formed on an identical surface on which the camera lens is located. Consequently, entry of the amendment is believed to be appropriate and is respectfully requested.

Claims 1-3 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over the Admitted Prior Art of Figures 4A-4C of the subject patent application in view of Ichiyoshi (JP 3-198806). For the reasons set forth below, Applicants traverse this rejection.

The claim 1 arrangement solves the problem inherent in the mobile apparatus of prior art Figures 4A-4C. Specifically, the hand strap fitting part of the prior art mobile apparatus is formed on an identical surface on which a camera lens is located and a hand strap has a tied-end portion thereof fixed to and held by the hand strap fitting part. In the prior art mobile apparatus, a free-end portion of the hand strap is swingable and can move into a field of view of the camera lens when the mobile apparatus is held for photographing in an upright position in which a longer side of the mobile apparatus is held upright with a top portion thereof being directed upward.

Consequently, the Admitted Prior Art clearly does not show or suggest a hand strap fitting part disposed in the manner required by claim 1. In particular, in contrast to the claim 1 arrangement and as noted above, the hand strap fitting portion of the Admitted Prior Art is

formed in a position that comes above the camera lens, whereby the free-end portion of the hand strap can swing into a field of view of camera lens 9 when the mobile apparatus is held for photographing. The office action acknowledges this deficiency of the Admitted Prior Art. 11/28/2006 Office Action, page 3.

To remedy this acknowledged deficiency, the office action relies on Ichiyoshi which shows a strap 14 for carrying a camera. According to the office action, "Ichiyoshi teaches a strap 14 used to carry a camera, the strap 14 is located below lens 11 (see Constitution, figure 1)." The office action concludes "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Admitted Prior Art Figures 4A (sic) by the teaching of Ichiyoshi in order to prevent the hand strap from being swung in front of the lens."

However, in Ichiyoshi, the hand-strap fitting part for strap 14 is not formed on an identical surface on which camera lens 11 is located. In Ichiyoshi, the hand-strap fitting part is positioned rearwardly and on a different side of the camera than lens 11. It is for these reasons that the strap 14 does not move into a field of view of lens 11. Ichiyoshi might perhaps be argued to have suggested that the prior art device of Figures 4A-4C could be modified to reposition the hand strap fitting part 3 rearwardly and/or on a different side of the device than camera lens 9, but Ichiyoshi would have in no way suggested re-positioning the hand-strap fitting part 3 elsewhere on the identical surface on which the camera lens 9 is located.

Moreover, the English-language Abstract of Ichiyoshi describes that at the time of taking a picture, the free-end of the strap 14 is secured to the camera using connection member 16 so that "stable photographing is allowed." Thus, at the time of taking a picture, there is no "free-end" portion of the strap that could possibly swing into the field of view of the camera lens. Ichiyoshi might perhaps be viewed as suggesting that the free-end portion of a strap be secured at the time of taking a picture. However, the securing of the free-end of portion when taking a picture is not at all suggestive of re-positioning the hand-strap fitting part 3 of Figures 4A-4C as claimed.

In short, claim 1 requires that the hand strap fitting part is formed in a position that comes below the camera lens on the identical surface on which the camera lens is located so that the free-end portion of the hand strap does not swing and move into a field of view of the camera lens when the mobile apparatus is held for photographing. In contrast, as discussed above, in Ichiyoshi, the fitting part of the strap 14 is not formed on an identical surface on which the camera lens 11 is located and Ichiyoshi is not subject to the problem of the free-end portion of

ARAKANE, T. et al.

Application No. 10/085,618

Response to Office Action dated November 28, 2006

the strap swinging into the field of view of the camera lens. Consequently, Ichiyoshi would not have been suggestive of the modification of the Admitted Prior Art necessary to result in the mobile apparatus of claims 1-3.


Claim 2 calls for the hand strap fitting part to be located in such a way that a swinging center of the hand strap comes below a horizontal line tangential to a bottom edge of the camera lens when the mobile apparatus is held for photographing in the upright position. As noted above, Ichiyoshi teaches securing the free-end of the strap 14 when holding the camera for photographing and thus Ichiyoshi would not have suggested the specific arrangement of claim 2.

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



Michael J. Shea

Reg. No. 34,725

MJS:mjs

901 North Glebe Road, 11th Floor

Arlington, VA 22203-1808

Telephone: (703) 816-4000

Facsimile: (703) 816-4100